

TELECOPIER COVER SHEET**December 29, 2004**

To: Assistant Commissioner for Patents	From: Peter A. Nichols Patent Attorney
Attention: Examiner Kennedy Schaetzle Art Unit 3762 TECHNOLOGY CENTER 3700	ST. JUDE MEDICAL CRMD 15900 Valley View Court Sylmar, California 91392-9221
Telecopier: 703/872-9306	Telecopier: 818/362-4795
RE: Response to Office Action App. No.: 10/043,781 Filed: 01/09/2002 Docket No.: A02P1001	Number of pages being sent: <u>6</u> (including cover page)

PLEASE DELIVER TO EXAMINER KENNEDY SCHAETZLE – Art Unit 3762

THE INFORMATION CONTAINED IN THIS TRANSMISSION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE AND THOSE PROPERLY ENTITLED TO ACCESS TO THE INFORMATION AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, AND/OR EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS TRANSMISSION IS NOT THE INTENDED OR AN AUTHORIZED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY UNAUTHORIZED DISTRIBUTION, DISSEMINATION, OR DUPLICATION OF THIS TRANSMISSION IS PROHIBITED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY

DEC 29 2004

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Joseph J. Florio et al.
Serial No.: 10/043781 **Examiner:** K. Schaetzle
Filed: 01/09/2002 **Art Unit:** 3762
Docket No.: A02P1001
For: METHOD AND APPARATUS FOR DYNAMICALLY ADJUSTING
 A NON-LINEAR OVERDRIVE PACING RESPONSE FUNCTION

TRANSMITTAL LETTER, FEE AND CERTIFICATE OF MAILING

Mail Stop Amendments (AF)
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

Submitted herewith for filing are the following documents:

☒ Response and Request for Reconsideration
☒ Transmittal Letter, Fee and Cert. of Mailing

CALCULATION OF FEES						
ITEM		NO. OF CLAIMS REMAINING AFTER AMENDMENT	NO. OF CLAIMS PREVIOUSLY PAID FOR	ADD'L CLAIMS FILED	LARGE ENTITY FEE	\$ FEE
A	TOTAL CLAIMS FEE	18	18	0	X \$ 50	\$ 0
B	INDEPENDENT CLAIMS FEE**	3	3	0	X \$200	0
C	MULTIPLE- DEPENDENT				X \$ 360	0
D	EXTENSION OF TIME FEE — 1-mon: \$120; 2-mon: \$450; 3-mon: \$1,020; 4-mon: \$1,590; 5-mon: \$2,160					0
E	ADDITIONAL FEES (i.e., Surcharge — Late Fee- Declaration; Petitions; Information Disclosure Statement; Terminal Disclaimer, etc.) Specify:					0
F	TOTAL ADDITIONAL FEE** (ADD TOTALS FOR LINES A,B,C,D, and E)					\$ 0**

<input checked="" type="checkbox"/> Charge Deposit Account No. 16-0068 the amount of	\$ 0**	A copy of this letter is enclosed.
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PATENT

X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-0068

X Any additional filing fees required under 37 CFR 1.16.

X Any patent application processing fees under 37 CFR 1.17.

X The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 16-0068


X Any patent application processing fees under 37 CFR 1.17.

X Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,

Date:

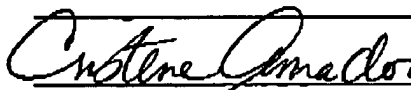
12-29-04


Peter A. Nichols, Reg. No. 47,822
Patent Attorney for Applicants

CUSTOMER NUMBER: 36802

I hereby certify that this correspondence is facsimile transmitted to the United States Patent and Trademark Office, on:

December 29, 2004

 12/29/04
Cristene Amador Date

DEC 29 2004

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

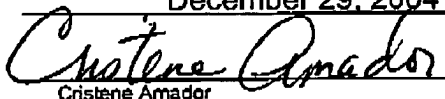
Applicant:	Joseph J. Florio et al.	Examiner:	K. Schaetzle
Serial No.:	10/043,781	Art Unit:	3762
Filed:	01/09/2002		
Docket No.:	A02P1001		
For:	METHOD AND APPARATUS FOR DYNAMICALLY ADJUSTING A NON-LINEAR OVERDRIVE PACING RESPONSE FUNCTION		

RESPONSE AND REQUEST FOR RECONSIDERATION

Mail Stop Amendments
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being facsimile
transmitted to the United States Patent and Trademark Office,
on:

December 29, 2004

 12/29/04
Cristene Amador Date

Dear Sir:

Please consider the following remarks in response to the Office Action dated
October 5, 2004, please amend the above-identified application as follows.